

SCOTTSDALE

CITY COUNCIL MEETING

AGENDA



COUNCIL

Mary Manross, Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert W. Littlefield

Ron McCullagh

Kevin J. Osterman

Monday, August 30, 2004

5:00 P.M.

CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Roll Call

Presentations/Information Updates

American Public Works Association Presentation

Public Comment

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "public comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

How the Consent Agenda Works: The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a comment card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

1. [Naming Geographic Features in the McDowell Sonoran Preserve](#)

Request: Authorize Preservation staff to submit applications to the Arizona State Board on Geographic and Historic Names, the intent of which is to officially name a natural feature in the McDowell Sonoran Preserve for former Mayor Drinkwater, and to formally name a number of commonly recognized features within the planned Preserve (all but one of the proposed feature names have been used for many years by local residents and recreational users). The completion of this process will allow the features to be officially named on maps, including the USGS topographic maps. It will further aid in the public safety arena, as areas will be easily identified on maps and in the field in the event of an emergency.

Related Policies, References: Preserve Access Areas Report; Scottsdale Trails Master Plan; Conceptual Preserve Trails Plan; Scottsdale Design Standards and Policies Manual for Non-Paved Trails; and Preserve Access Area Design and Site Standards.

Staff Contact(s): Robert J. Cafarella, Preservation Director, 480-312-2577, rcafarella@scottsdaleaz.gov; Claire Miller, Preserve Manager, 480-312-2504, clmiller@scottsdaleaz.gov

2. [Municipal Marketing Policy – Sponsorship and Naming Rights](#)

Request: Adopt Resolution No. 6473 allowing City staff to pursue marketing and naming rights agreements with individuals, commercial enterprises and other organizations, and establishing a policy for these types of agreements. The intent of the resolution is to establish a consistent approach, criteria and guidelines specific to selling the names of City of Scottsdale owned or operated facilities or events or entering into sponsorship agreements as a means of recognizing support from an external organization or corporation.

Related Policies, References:

Proposed Admin. Regulation – Sponsorships and Naming Rights Agreements #156

City Code Sign Requirements 8.100-8.615

City Procurement Code, Chapter 2, Article IV, Division 4

Staff Contact(s): Craig Clifford, CFO, 480-312-2364, cclifford@scottsdaleaz.gov; Lisa Murphy, Accounting Director, 480-312-7009, lmurphy@scottsdaleaz.gov

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3. Construction Bid Award for Downtown Signage System

Request: Authorize Construction Bid Award No. 04PB143 to Gable Signs & Graphics, Inc., the lowest responsive bidder, in the total amount of \$448,791.00, consisting of the base bid and bid alternates No. 1 and No. 2.

Related Policies, References: The award of this project furthers Council Goal B: Preservation- Preserve the character and environment of Scottsdale; and Goal C: Transportation- Provide for the safe, efficient and affordable movement of people and goods

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov; Bill Peifer, Project Manager, 480-312-7869, bpeifer@scottsdaleaz.gov

4. Engineering Services Contract for the Design of the WestWorld Water System Improvements

Request: Authorize Engineering Services Contract No. 2004-105-COS with CSA Engineering, Inc., in the amount of \$130,314 for the design of WestWorld Water System Improvements.

Related Policies, References:

- Development Review Board (Case No. 116-DR-93, #2, 3 & 4), May 1994 – related to WestWorld entry signage, re-vegetation, and Western Theme Park
- Planning Commission (Case No. 20-ZN-1995, #2), January 28, 2003 – WestWorld Master Development Site Plan
- City Council, March 18, 2003 – WestWorld Master Development Site Plan
- Development Review Board (Case No. 41-DR-2003), July 10, 2003 – WestWorld Design Guidelines

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov; Annette Grove, Sr. Project Manager, 480-312-2399, agrove@scottsdaleaz.gov

5. Assignment of Flood Control Easements

Request: Adopt Resolution No. 6547 authorizing Agreement No. 2004-134-COS with the Flood Control District of Maricopa County to assign certain drainage and flowage easements acquired by the City of Scottsdale to the Flood Control District.

Related Policies, References: Agreement No. 960140 authorizing Drainage Easement Realignment and Real property Exchange Agreement with Town King Enterprise Co., LTD was approved by Council on April 14, 1997.

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov; Stanley F. Seigal, Asset Management Coordinator, 480-312-7042, sseigal@scottsdaleaz.gov

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6. **[Adopt a Hazard Mitigation Plan for Scottsdale](#)**

Request: Approve Resolution No. 6531 adopting a comprehensive Hazard Mitigation Plan for the City of Scottsdale. This document combines all City-related hazard abatement plans into one, comprehensive plan for the City of Scottsdale and also ties into Hazard Mitigation Plans for all local jurisdictions within Maricopa County.

Related Policies, References: City Code Ch 10 Civil Defense and Emergency Services, Federal Disaster Mitigation Act of 2000.

Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-5000, arodbell@scottsdale.gov; Marc Eisen, Director Homeland Security, 480-312-7999, meisen@scottsdaleaz.gov

7. **[Construction Bid Award for the Demolition and Site Remediation at the Southeast Corner of Scottsdale and McDowell roads](#)**

Request: Authorize Bid Award 05PB007 for demolition of existing mall foundation, basement and accessory structures, walls and planters; removal of asbestos concrete pipe; and milling of existing asphalt pavement to BCS Enterprises, the lowest responsive bidder, at their lump sum bid of \$338,995.

Related Policies, References: On July 6, 2004 Council approved Resolution No. 6523 authorizing the City to enter into a purchase agreement to acquire the former Los Arcos Mall site at the southeast corner of Scottsdale and McDowell roads. Council also approved a capital budget transfer to fund initial public infrastructure expenses required to support development of the site.

Staff Contact(s): Ed Gawf, Assistant City Manager, 480-312-4510, egawf@scottsdaleaz.gov; and Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov

8. **[ASU-Scottsdale Center for New Technology and Innovation \(Los Arcos\)](#)**

Request: Initiate a rezoning application for the property at the southeast corner of Scottsdale and McDowell roads. This action is only a starting point, leading to future consideration of a specific zoning proposal after the first of the year.

Key Items for Consideration:

- The General Plan Land Use designation for this property is Mixed Use Neighborhoods.
- The City of Scottsdale and ASU will partner on the development of this site.

Staff Contacts: Ed Gawf, Assistant City Manager, 480-312-4510, egawf@scottsdaleaz.gov; Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Teresa Huish, Senior Planner, 480-312-2524, thuish@scottsdaleaz.gov

9. **[Intergovernmental Agreement to Accept Federal Transit Administration Grant for Reimbursement of Transit Expenditures](#)**

Request: Adopt Resolution No. 6530 authorizing an Intergovernmental Agreement #2004-125-COS between the cities of Scottsdale and Phoenix to enable the City to receive reimbursement of eligible transit expenditures for constructing and equipping bus stop passenger improvements and pre-design work for a regional park and ride facility tentatively planned for the 101 Freeway and Hayden area under Federal Transit Administration Grant #AZ-90-068. The grant was anticipated and included in the adopted capital and operating budgets for fiscal year 2004/05.

Related Policies, References: IGA #2004-125-COS; City Procurement Code; Code of Federal Regulations

Staff Contact(s): Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov; David Meinhart, Interim Transportation Planning Director, 480-312-7010, dmeinhart@scottsdaleaz.gov; Michael Spletter, Contract and Grant Coordinator, 480-312-7656, mspletter@scottsdaleaz.gov

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10. Accept Grants to Construct Scottsdale Airport Runway Safety Area Improvements

Requests:

1. Adopt Resolution No. 6499, authorizing IGA Nos. 2004-094-COS and 2004-113-COS with the Federal Aviation Administration (FAA) and authorizing IGA Nos. 2004-112-COS and 2004-095-COS with the Arizona Department of Transportation – Aeronautics (ADOT) for runway safety area improvements that involve the placement of approximately 411,000 square yards of crushed rock material. This material will be placed over the unpaved areas located around the airport's runway and taxiways. The project is expected to cost \$2,275,788. Two FAA Airport Development grants (totaling approximately \$2,143,876) and two ADOT – Aeronautics grants (totaling approximately \$65,956) will fund most of the costs. The City grant match of \$65,956 will be funded by Aviation Enterprise funds. The grants will be used for the Airport Runway Safety Area Improvements project approved in the FY 2005 Airport Capital Improvement Program.
2. Authorize the transfer of \$275,788 in FY 2004/05 Aviation Grant budget to the Aviation Capital Project center for this project. This transfer will increase the existing adopted budget in the Airport Runway Safety Area Improvement project from \$2,000,000, which was adopted based upon an early estimate, to the more precise estimate of \$2,275,278.

Staff Contact(s): Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov; Scott T. Gray, Aviation Director, 480-312-7735, sgray@scottsdaleaz.gov

11. Award of Contract for Construction of the Airport Runway Safety Area Improvements

Request: Authorize bid award No. 04PB137 for \$1,594,729.94 to CS & W Contracting, Inc., and a 15% project contingency. At a bid price of \$1,594,729.94 plus 15% project contingency, the total project budget is \$1,833,939.30. The runway safety area improvements will involve the placement of approximately 411,000 square yards of crushed rock material. This material will be placed over the dirt areas located around the Scottsdale Airport's runway and taxiways.

Staff Contact(s): Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov; Scott T. Gray, Aviation Director, 480-312-7735, sgray@scottsdaleaz.gov

12. Lease Amendment for the Blue Fig, L.L.C., Restaurant at Scottsdale Airport

Request: Authorize Lease Amendment No. 2000-053A-COS for Blue Fig, L.L.C. to modify their minimum hours of operation from 7:00 A.M. to 5:00 P.M. to 7:00 A.M. to 3:00 P.M. Blue Fig, L.L.C. will continue to have authorization to remain open for business longer than the minimum requirements. The City will also reserve the right, without further amending the lease, to require the restaurant to remain open until 9:00 P.M. if public demand requires additional hours.

Staff Contact(s): Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov; Scott T. Gray, Aviation Director, 480-312-7735, sgray@scottsdaleaz.gov

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13. Intergovernmental Agreement with Arizona Department of Transportation

Request: Adopt Resolution 6529 authorizing Intergovernmental Agreement (IGA) #1999-009A-COS with Arizona Department of Transportation (ADOT) to revise the capital project limits, clarify additional project elements, and authorize payment to ADOT of \$95,000 for infrastructure installation. The IGA covers installing Intelligent Transportation System (ITS) infrastructure and sharing fiber optic conduit along the 101 Freeway. The project limits were from Shea Boulevard to the 202 Freeway. The new project limits will be from approximately 1,000 feet south of Via Linda, north along the 101 to the Scottsdale Road interchange. By sharing existing conduit on the 101 Freeway with ADOT, Scottsdale will save approximately \$2.1 million in conduit installation costs for the fiber optic cable “backbone” that supports the City’s Traffic Management Center.

Staff Contact(s): Mary O’Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov; Paul Porell, Traffic Engineering and Operations Director, 480-312-7651, pporell@scottsdaleaz.gov; Bruce Dressel, ITS Analyst, 480-312-2358, bdressel@scottsdaleaz.gov

14. Settlement of City of Scottsdale v. Peck. A Preserve Condemnation Case

Request: Adopt Resolution No. 6533 and authorize the City Attorney to settle *City of Scottsdale v. Peck*, an eminent domain proceeding seeking to acquire real property for the McDowell Sonoran Preserve.

Related Policies, References: Resolution No. 5874, which authorized the condemnation of the 19.144-acre parcel for the McDowell Sonoran Preserve.

Staff Contact(s): Robert J. Cafarella, Preservation Director, 480-312-2577, rcafarella@scottsdaleaz.gov; Bruce Washburn, Assistant City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

15. Water Service Agreements for the Western and Eastern Portions of Lot 16. Carefree Ranch Homesteads Subdivision

Requests:

1. Adopt Resolution No. 6527 authorizing the execution of Water Service Agreement Nos. 2004-123-COS and 2004-124-COS for the western and eastern portions of Lot 16 of the Carefree Ranch Homesteads Subdivision.
2. Authorize Water Service Agreement No. 2004-123-COS for the western portion of Lot 16, Carefree Ranch Homesteads, Maricopa County Tax Assessor Parcel No. 219-47-048A, with Sherwin N. Scott, and Water Service Agreement No. 2004-124-COS for the eastern portion of Lot 16, Carefree Ranch Homesteads, Maricopa County Tax Assessor Parcel No. 219-47-048B, with Robert S. Laizure, Sr. and Lisa S. Laizure.

Staff Contact(s): David M. Mansfield, Water Resources Department General Manager, dmansfield@scottsdaleaz.gov; 480-312-5681; Greg Crossman, Sr. Water Resources Engineer, 480-312-5319, gcrossman@scottsdaleaz.gov

16. Authorization of Tourism/Proposition 202 Funding Proposal

Requests:

1. Adopt Resolution No. 6539 to authorize Intergovernmental Agreement No. 2004-127-COS that will enable the City accept and appropriate \$75,000 from the Fort McDowell Yavapai Nation to promote tourism in Scottsdale and surrounding areas. This IGA is in accordance with Proposition 202, ARS 5-601 and the June Fiscal Year 2004-2005 Scope of work from the Scottsdale Convention and Visitors Bureau (CVB) to the Fort McDowell Yavapai Nation. These funds would be appropriated into the City's General Fund Contingency and subsequently transferred into the CVB's contract.
2. Authorize transfer of the \$75,000 from the Contingency General Fund to the Scottsdale CVB Contract No. 2004-086-COS.
3. Authorize an amendment to the Scottsdale CVB Contract No. 2004-086-COS recognizing the change to the CVB's contract. Funding for the contingency budget is to be provided by the Fort McDowell Yavapai Nation and will not impact the City's General Fund.

Related Policies, References: Proposition 202, the 17 Tribe Indian Self-Reliance Initiative; ARS 5-601; August 2004 Scope of Work to the Fort McDowell Yavapai Nation outlining how the CVB will invest the \$75,000.

Staff Contact(s): David Roderique, Economic Vitality General Manager, 480-312-7601, droderique@scottsdaleaz.gov; Kathy Carlisle O'Connor, Tourism Development Manager, 480-312-7057, kcoconnor@scottsdaleaz.gov

Public Comment

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. This "public comment" time is reserved for citizen comments regarding non-agendized items. No official Council action will be taken on these items.

City Manager's Report

Mayor and Council Items

Adjournment

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.